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# **BUSINESS MEETING**

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*Tuesday, April 14, 2015*

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UNITED STATES SENATE COMMITTEE  
ON FOREIGN RELATIONS  
114<sup>TH</sup> Congress, First Session

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**UNEDITED TRANSCRIPT  
NOT FOR DISTRIBUTION**

# BUSINESS MEETING

*Tuesday, April 14, 2015*

U.S. SENATE  
COMMITTEE ON FOREIGN RELATIONS  
WASHINGTON, D.C.

1           The committee met, pursuant to notice, at 2:49 p.m. in Room 419, Dirksen Senate  
2 Office Building, Hon. Bob Corker, chairman of the committee, presiding.

3           **PRESENT.** Senators Corker [presiding], Risch, Rubio, Johnson, Flake, Gardner,  
4 Perdue, Isakson, Paul, Barrasso, Cardin, Boxer, Menendez, Shaheen, Coons, Udall,  
5 Murphy, Kaine, and Markey.

## **OPENING STATEMENT OF HON. BOB CORKER, U.S. SENATOR FROM TENNESSEE**

6           **THE CHAIRMAN.** This business meeting for the Senate Foreign Relations meeting —  
7 Committee will come to order. The only — the only order of business today is S. 615,  
8 the Iran Nuclear Agreement Review Act of 2015, and that bill is now the pending  
9 business of the committee.

10           I want to start by thanking all the members of the committee for the tremendous  
11 amount of work that has been done over several months to get us to the place that we  
12 are. And in any piece of legislation obviously there are things that members would like  
13 to see different, but I think we have reached a balance here that is very, very  
14 appropriate.

1 I want to thank the former chairman and the former ranking member, Senator  
2 Bob Menendez, for his tremendous efforts on all things Iran, but certainly this piece of  
3 legislation. I cannot imagine a member being more constructive. And I want to say that  
4 to me today what may occur is the true reemergence of the Foreign Relations  
5 Committee becoming more than just a debating society, but a committee that takes up  
6 the significant work that we have before us around the world. And I want to say again  
7 to our former chairman and our former ranking member, there is no question that over  
8 the last two years you have helped bring us to this point where instead of debating  
9 things, we, in fact, may well be taking up important legislation that will have a  
10 significant impact on the security of the Middle East and certainly of our citizens.

11 I want to thank — I want to thank Tim Kaine for his incredible effort. Tim is  
12 someone who understands truly the role of the United States Senate and issues of this  
13 significance, and has worked — has been a stalwart to, I think, articulate more than —  
14 more clearly than anyone else why it is important for us to take the role that I hope this  
15 legislation today will allow us to take.

16 And then to Ranking Member Cardin, I do not know how many times we have  
17 talked on the phone over the last several days. I cannot thank you enough for your  
18 temperament, for your tone, for your seriousness on a very, very important issue, and I  
19 look forward to working with you on other significant issues. But today to be where we

1 are no doubt is a testament to the type of senator you came here to be, and I want to  
2 thank you for that.

3         Look, let us set the stage. In spite of what the — what may be being said by  
4 buildings down the street on the other end of Pennsylvania, this legislation is exactly  
5 the congressional review that we have been working on from day one. And I want to  
6 thank everyone here for allowing this legislation to be in the form that it is in today with  
7 100 percent of the integrity that we had hoped to be a part of this process embodied in  
8 this piece of legislation.

9         What this legislation does — I think everyone understands that these Iran  
10 nuclear negotiations are incredibly important to the citizens that we represent. I think  
11 all of us would like to see a strong negotiated agreement that ensures that Iran does not  
12 get a nuclear weapons. But what this legislation does is allow us — Congress has been  
13 a partner in this. Congress, as we know, has passed four pieces of legislation since 2010  
14 that most people credit for having brought Iran to the negotiating table.

15         Many times, let us face it, this was not something that the Administration  
16 favored, but Congress prevailed. And the sanctions that we have put in place are the  
17 sanctions that a broad economy — brought the Iranian economy down certainly a great  
18 deal, has certainly caused the inflation and the destabilizing effect that has caused them  
19 to want to be at the negotiating table.

1           What we have before us today is a bill that forces the Administration, before they  
2 are able to lift the sanctions that we collectively put in place that brought them to the  
3 table, it forces the Administration to bring to us every detail if there happens to be a  
4 final agreement. Every detail. We have left timeframes in here we have worked  
5 through with the parliamentarian. We have worked through the House to make sure  
6 that the procedures are appropriate. I know that Ben and I will have a colloquy in a  
7 minute to further confirm that.

8           But what this does, it means that the sanctions that have been put in place by this  
9 body, by the Senate and by the House, cannot be lifted — cannot be lifted — without  
10 the Administration bringing to us every detail of the deal. And then the clock will start,  
11 and there will be a period of time that Congress — that Congress will have the ability to  
12 debate and decide whether Congress wants to move ahead with a resolution of  
13 approval or a resolution of disapproval. During that time, no congressional mandated  
14 sanctions can be lifted.

15           After that process is over, there is a third process that is very important. I think  
16 everybody understands what has happened in North Korea where arrangements were  
17 made, but there was no follow-through. And a very important aspect, a third leg to this  
18 agreement, is that Congress stays involved if an agreement is reached, and if one is not  
19 disapproved, Congress stays involved. And every 90 days the Administration has to  
20 certify that in every way Iran is in compliance. And if there are violations, within a 10-

1 day period they have to give that to Congress so that we have the ability, if we wish, to  
2 quickly reapply the sanctions that if a deal is approved would be alleviated. So I think  
3 this puts Congress in its rightful role.

4       People should know, and I think everyone understands, the sanctions that are  
5 being negotiated right now with Iran are the nuclear sanctions only. The sanctions  
6 relative to ballistic missile testing, they stay in place. The sanctions relative to terrorism,  
7 they stay in place. The sanctions relative to human rights, they stay in place. And so,  
8 today we are only focused on the nuclear piece, but I would say in the event over time  
9 these sanctions are lifted because a deal is approved and Congress chooses not to  
10 disapprove it, I would just say to everyone here, this bill gives us more reporting on  
11 terrorism than we have ever had, more reporting on ballistic missile testing than we  
12 have ever had, more reporting on human rights than we have ever had. And we will  
13 have that entire arsenal of sanctions that we put in place since 2010 to reapply in those  
14 areas if we feel like Iran is again doing things that are not in our national interests, and  
15 certainly not in the country's.

16       So I want to thank again the ranking member. I want to thank everybody who  
17 has worked with us in this regard. I know that there may be some other — many  
18 people may have opening comments. But it has been a true pleasure to work with  
19 Senator Cardin and others, for us to be in the place that we are with the entire integrity  
20 of the congressional review process that we started with staying in place.

1           And with that, I will turn it over to our ranking member, who worked with us to  
2 get this in a place that I hope many Democrats will be able to join in, and he did so  
3 valiantly. He did so toughly. But he did so with a temperament that allowed us to  
4 move along in a very productive way.

**STATEMENT OF HON. BEN CARDIN,  
U.S. SENATOR FROM MARYLAND**

5           **SENATOR CARDIN.** Well, Chairman Corker, first of all, thank you very much. I want  
6 to completely agree with you in regards to the role that Senator Menendez has played  
7 in us reaching this moment. I do not believe we would be here today on the verge of  
8 reporting out I hope by a very strong vote on a congressional review of the Iranian  
9 accords that we hope will be presented to us in June. And Senator Menendez enjoys the  
10 strong thanks for the incredible leadership he has given the Senate Foreign Relations  
11 Committee as its chairman and as ranking member. I can assure everyone here I am  
12 honored to be the ranking member. Did not want to become ranking member under  
13 these circumstances, and I hope that Senator Menendez's issues will be resolved very  
14 quickly.

15           Mr. Chairman, I look at my position as working with you to achieve our mutual  
16 goals, and that is this Senate Foreign Relations Committee has an extremely important  
17 role to play, and we want to do that in the best interests of the United States. So sure, I  
18 represent the Democratic members, but in a broader sense I think we both represent all

1 the members of the Senate in bringing as much unity as we possibly can to foreign  
2 policy in this country. So I look forward to working with you in that regard.

3 It is clear to me that there is a strong common commitment in the Congress of the  
4 United States and in the White House to make sure Iran never becomes a nuclear  
5 weapons state. That is our objective. That is a game changer for the Middle East. It is  
6 something that we cannot allow to occur. I think we all agree that the preferred course  
7 to achieve that objective is through the diplomatic means, through the negotiations that  
8 are taking place, with a strong agreement that would prevent Iran from becoming a  
9 nuclear weapons state.

10 Such an agreement would have to provide ample time before Iran could break  
11 out to a nuclear weapon so that if they do not comply with the agreement, we will  
12 know about those breaches and can take effective action to prevent Iran from becoming  
13 a nuclear weapons state. Bottom line is there is no disagreement in this committee or in  
14 the Congress that we cannot trust Iran, and the agreement must be able to assure that  
15 Iran does not become a nuclear weapons state. I think we also will reach agreement  
16 today of an appropriate role for Congress in reviewing what we must do in that regard.

17 And I start by saying thank you to Senator Corker, and thank you to Senator  
18 Menendez, and thank you to Senator Kaine for giving us the framework to achieve that.  
19 I agree with Senator Corker. The basic framework of the bill that we are working on  
20 today provided a way in which Congress in a thoughtful and meaningful way could



1 weigh in and review any agreement reached between our negotiating partners in Iran in  
2 regards to their nuclear weapons. And secondly, it provided a means that we could get  
3 timely notice in the event there is a material breach so Congress could take appropriate  
4 action. Those two principals were in the original bill and they are still in there today,  
5 and I agree completely with those purposes, and said so well before the hearings — this  
6 markup today.

7 I am pleased, though, we were able to negotiate a member — manager's package  
8 that has broad support and input from many member of this committee, and I want to  
9 thank members on both sides of the aisle for their input into the manager's amendment.  
10 It reflects, I think, the best thoughts of all the members of the committee. It provides, I  
11 think, the right framework for the congressional review and potential action.

12 And, Mr. Chairman, I just want to quote from some language that is in the  
13 manager's amendment that, "It is the sense of Congress that the sanctions regime  
14 imposed on Iran by Congress is primarily responsible for bringing Iran to the table to  
15 negotiate its nuclear program." We are the ones who imposed the sanctions, as you  
16 pointed out. "These negotiations are critically important matters of national security  
17 and foreign policy for the United States and its closest allies. This legislation does not  
18 require a vote by Congress for the agreement to commence. This legislation provides  
19 for congressional review, including and appropriate for approval, disapproval, or no  
20 action on statutory sanctions relief under an agreement."

1 I just really want to point that out because people have asked why we are  
2 involved here. We have to be involved here. Only Congress can permanently change  
3 or modify the sanctions regime, which is clearly part of what the President is  
4 negotiating in regards to the Iran nuclear program.

5 Secondly, let me point out that the manager's amendment, I think, has the  
6 appropriate role for Congress in regards to when we get the agreement and how we act  
7 on it. It is clear that we will only act after the Administration has presented to us an  
8 agreement. That is when the clock starts. So we're providing an orderly way for our  
9 consideration. We will go in to the timeframe in a moment, but under the assumption  
10 that we are going to get the agreement on time, there would be an initial 30-day review  
11 period for Congress to review the agreement.

12 We have checked that out. That gives our committee ample time to hold  
13 hearings, to do what is appropriate, and for Congress to take appropriate action. We do  
14 not know whether that will be no action, a resolution of approval, resolution of  
15 disapproval, a resolution dealing with sanctions. All that is possible. No pre-judgment  
16 on that. We will wait until we receive the agreement, and we have our committee  
17 hearings, and determine the appropriate role for Congress. But there would be no  
18 action prior to receiving the agreement. It is also very clear that the April 2nd  
19 framework is not part of that type of a review process.

1           The 30 days could be extended if there was action taken that required  
2 presidential approval during that period of the presidential review, and potential veto  
3 and veto overrides, the periods would be extended. We do not — no one can anticipate  
4 where will end up on this, but it basically is a 30-day review process.

5           I want to thank the chairman because we got into a big debate, and we may have  
6 an amendment being offered on this, so I will just cover it briefly now. We have  
7 eliminated from the original draft certain presidential certifications that were not related  
8 to the Iranian negotiations, and I think that was the right thing to do. This is a  
9 complicated enough agreement. We are not going to be able to solve all the problems  
10 with Iran. If we can prevent Iran from becoming a nuclear weapons state, that is the  
11 objective of these agreements. Does Iran have other issues with the international  
12 community and us? You bet they do, and we are concerned about that.

13           And I would just urge my colleagues to take a look at the manager's amendment  
14 because we have strengthened this bill as it relates to getting adequate information  
15 about their terrorist activities and their violations of human rights so that we have that  
16 information and can use that information as we see fit. So I believe the manager's  
17 amendment strengthens this bill as it relates to the other types of activities that are  
18 problematic to the United States that are caused by Iran, but does it in the right way  
19 without interfering. In fact, I would suggest that this bill strengthens the President's  
20 ability to negotiate in regards to the nuclear framework itself.

1           And lastly, let me just say I think there is an amendment that is offered that  
2 makes it clear that the security of Israel and the survival of Israel is clearly paramount,  
3 one of the paramount goals. And I agree with that completely, and I am glad that we  
4 were able to add that to the manager's amendment. I thank Senator Rubio and I thank  
5 Senator Boxer for their leadership on that issue.

6           I do want to particularly thank Senator Coons for his help in the shortening of  
7 the period, Senator Shaheen for her work on the framework of how we put this  
8 together, and all the members on both sides for their incredible work. I think this is a  
9 proud moment if we can get this type of legislation as to how Congress can really weigh  
10 in on this agreement. I think it is the right thing not only for Congress, but for the  
11 American people.

12           **THE CHAIRMAN.** Do you want to do the colloquy?

13           **SENATOR CARDIN.** Oh, yes. And, Mr. Chairman, if I might, I just want to make one  
14 point on some of the new text in the manager's substitute amendment, which has been  
15 agreed to between Senator Corker and myself, regarding the period of congressional  
16 review. The original bill mandated a 60-day period for congressional review during  
17 which time the President would not be able to provide statutory sanctions relief.

18           In the new text, if the agreement is submitted by July 10th, the congressional  
19 review would be 30 days, and during that period, the President would be unable to  
20 provide statutory sanctions relief. The new text then provides for a further 12 days for

1 the president to consider a veto of a resolution of disapproval, and 10 days for Congress  
2 to consider overriding a veto. The 10-day period for Congress to consider overriding a  
3 veto would begin the day after a presidential veto.

4 **THE CHAIRMAN.** That is absolutely my understanding, and I think it is your  
5 understanding that the time clock only begins when the President presents all of the  
6 materials for us to weigh in, including all of the classified annexes that the public will  
7 never see, but are important for all of us to see, and to be able to weigh in on prior to  
8 any sanctions being relieved. But that is my understanding.

9 **SENATOR CARDIN.** Well, I appreciate that, and you are correct. The President has to  
10 submit the agreement. The agreement is defined in the manager's amendment to  
11 include the relevant documents.

12 **THE CHAIRMAN.** And he submits after that period of time. All of our members  
13 should know because of the way Congress functions and non-functions during the  
14 period of August, there is a 60-day process that we revert back to, so that is the case. Is  
15 that — that is our understanding and certainly that is spelled out that way in the  
16 manager's amendment. But I want to make sure that we have an agreement, and I  
17 thank you for that.

18 At this moment, I really think it is important for Senator Menendez, who has  
19 been such a champion not only on this piece of legislation, but regarding our mutual  
20 concerns with Iran. I would like to call on him to make some opening comments.

**STATEMENT OF HON. BOB MENENDEZ,  
U.S. SENATOR FROM NEW JERSEY**

1           **SENATOR MENENDEZ.** Well, thank you, Mr. Chairman. Let me — let me thank you  
2 for your gracious remarks, and I appreciate having worked with you on the legislation  
3 and your consultations with me on changes to the legislation, which I support. And I  
4 think this continuation of the bipartisanship that I tried to set out when I had the  
5 privilege of chairing the committee rises to the high calling of what the United States  
6 Senate is all about, and particularly upholds the significance of the Senate Foreign  
7 Relations Committee as it relates to foreign policy and national security. So I want to  
8 thank you and congratulate you in that respect.

9           I want to thank Senator Cardin, the ranking member, for his incredibly hard  
10 work in perfecting the legislation that brings us to what I hope will be a broad, strong  
11 bipartisan vote. And I could not think of anyone better, Ben, to take my place during  
12 this interim period. And I want to thank Senator Kaine, whose thoughtful input  
13 throughout the genesis of the legislation was incredibly helpful.

14           In my view, the way to send a message to Tehran about our expectations is for  
15 Congress to put politics aside and pass the Corker-Menendez Iran Nuclear Agreement  
16 Review Act with unified, bipartisan action that underscores Congress' critical role in  
17 one of the highest priority, national security, nuclear nonproliferation challenges of our  
18 time. The fact is if the P5+1 and Iran ultimately achieve a comprehensive agreement by

1 the June deadline, at the end of the day Congress must have oversight responsibility,  
2 and this legislation provides it.

3 This bill establishes a managed process for congressional review and a  
4 framework for congressional oversight. Now, I differentiate between this agreement  
5 and others the Administration has cited for exclusive executive action because of the  
6 congressionally-mandated sanctions that are law. And as the author of those sanctions,  
7 working with many others on this committee and beyond, I can tell you that we never  
8 envisioned a wholesale waiver of those sanctions without congressional input and  
9 action.

10 My goal is one goal, and that is to make certain that Iran does not have the  
11 infrastructure to develop a nuclear weapon. And the best way to achieve that goal is  
12 with bipartisan support that strengthens the United States' hand in moving from a  
13 political framework to a comprehensive agreement and sets out expectations for Iranian  
14 compliance. So let us send a message to Tehran that sanctions relief is not a given, and  
15 certainly not a prize for signing on the dotted line. Iran must fully comply with all  
16 provisions of an agreement that effectively dismantles its nuclear weapons  
17 infrastructure and verifies compliance with every word of the deal.

18 Now, I have many questions about the framework agreement, including, but not  
19 limited to, the divergent understanding of the agreement, the difference in what Iran  
20 can do with research on advanced centrifuges, the timing and pacing of sanctions relief,

1 the ability to snap back sanctions if there are violations of the agreement, the lack of  
2 addressing the possible military dimensions of Iran's program, the degree of the IAEA's  
3 ability to have snap inspections — not regular inspections, snap inspections, among  
4 others. But that is all the more reason for Congress to have an in-depth oversight role.

5 So with that, Mr. Chairman, I thank you for your leadership. I thank the ranking  
6 member for his. And I urge a strong bipartisan vote on the chairman's mark.

7 **THE CHAIRMAN.** Are there additional opening comments?

8 **SENATOR BOXER.** Mr. Chairman?

9 **THE CHAIRMAN.** If I could, I might want to go this way since we want to stay in  
10 balance here.

**STATEMENT OF HON. JAMES RISCH,  
U.S. SENATOR FROM IDAHO**

11 **SENATOR RISCH.** Mr. Chairman, first of all, again I want to join in with everyone  
12 and recognize your efforts on this. They have been Herculean to say the least.

13 The reason this is so difficult is the fact that we are negotiating towards two  
14 different goals. Usually when people are negotiating, they are negotiating to get to a  
15 particular point. The United States and the world wants to negotiate to a point where  
16 the Iranians cannot now, cannot ever have a nuclear weapon. The Iranians are  
17 negotiating to get a very specific clear path forward to how they can get a nuclear  
18 weapon.



1           Now, people talk about 10 years, 15 years. Look, this is a culture that has been  
2 around for five millennia, two and a half since they actually were the power in the  
3 world. Ten to 15 years is nothing for them. Under the agreement that has been talked  
4 about, they patiently can put step — one foot in front of the other and get to where they  
5 want to go. And unfortunately, that leaves people that are going to be sitting in these  
6 chairs in the future to deal with that, and that has — that is what has made this so  
7 difficult.

8           Having said all that, I think there are steps that we can take at this point to at  
9 least slow it down. And who knows, maybe the Iranian people will overthrow what  
10 they are burdened with with their government, and decide that they want to be  
11 reasonable actors in the world, and at some point in time get to the point where they do  
12 abandon their nuclear ambitions.

13           This agreement that we are talking about right now does not get them to the  
14 point where they are abandoning their nuclear ambitions because it would be very  
15 simple if they wanted to. They just destroy all their infrastructure, abandon it  
16 completely, and we move on. That is not what we are talking about here. Having said  
17 all that, there is some good stuff in here that I think we are going to have to get on  
18 board with. Thank you, Mr. Chairman.

1           **THE CHAIRMAN.** If I could, just to clarify, I think the comments you are making  
2 about the agreement, you are talking about the agreement that is being negotiated  
3 between the P5+1, not today's agreement.

4           **SENATOR RISCH.** Not this agreement.

5           **THE CHAIRMAN.** Today's agreement is just putting in place a structure for us to be  
6 able to deal with that once it is presented. And hopefully by giving us a seat at the —  
7 not at the negotiating table, but to be able to weigh in, a way to influence it to a better  
8 place.

9           **SENATOR RISCH.** Well said, Mr. Chairman.

10          **SENATOR CARDIN.** And, Mr. Chairman, could I just on that point? I think it is  
11 critically important that we underscore that because we are going to have strong  
12 bipartisan support for this agreement, for this review process. There may be different  
13 views on what has been negotiated to date, and I think it is very clear that this vote on  
14 the review process is not at all a reflection on how members feel on the underlying  
15 negotiations. And quite frankly, I am just going to speak for myself, I want to see the  
16 agreement before I comment on the agreement. It is still a process being negotiated.

17           I do want to acknowledge the President's success in keeping Iran intact during  
18 these negotiating periods, his ability to get negotiating partners in unity and staying in  
19 unity, and keeping the sanction regime in place when many of us thought when the first  
20 framework was announced that we would not be able to do that. So I think we will

1 reserve judgment on the merits at a different point, but right now I hope we can focus  
2 on the framework for our review.

3 **THE CHAIRMAN.** Someone on this side? Senator Boxer?

**STATEMENT OF HON. BARBARA BOXER,  
U.S. SENATOR FROM CALIFORNIA**

4 **SENATOR BOXER.** Thank you so much. I really do appreciate the very hard work  
5 that you, Mr. Chairman, did along with our ranking member, Senator Menendez, and  
6 so many others — Senator Kaine. I do not mean to slight anyone. So many people were  
7 involved in this. And to me, it is very, very important.

8 I believe this bill has been changed from a point at which I did not support it to a  
9 point in which I can. And it is because I believe the former bill would have disrupted  
10 and upended the ongoing negotiations between Iran and the P5+1. And I believe this  
11 new bill will not do that.

12 Now, I have received assurances today — all morning I was on the phone with  
13 experts saying do you feel that if we vote for this bill we will upend negotiations, and  
14 the answer came back in a very straightforward way, no, this bill will not do that. And  
15 so, I am very pleased.

16 Now, the reason for that is there is no longer language in the bill tying  
17 extraneous issues to the agreement. Now, we may have an amendment to do that, and  
18 everyone has a right to their opinion. My own view, that would be a deal breaker  
19 because we know how many problems we face with Iran. We could count the ways. We

1 would be here all day. But we are trying to take care of one of these problems today, so  
2 I would urge colleagues to refrain from trying to solve every problem with Iran. There  
3 are years' worth of mistrust, years' worth of problems, years' worth of terrorism, and  
4 we are still dealing with them, and we will still deal with them, and there is language in  
5 there that states that we will still deal with them. But let us not tie it to this legislation.

6 Also I am pleased that what is highlighted in this is a section that says we will  
7 not be voting on the final deal, if there is one, until after it is concluded. I think those  
8 are very important, and I do appreciate Senators Corker and Cardin accepting language  
9 that I wrote reaffirming the United States' commitment to Israel's security and its right  
10 to exist. We all feel that way, every one of us. I am proud that it is in there.

11 And I also am glad that the language I wrote with Senator Schatz on expedited  
12 procedures, should there be a breakout so that we can immediately go onto the floor of  
13 the United States Senate, no filibuster allowed, and add back sanctions or do other  
14 things that are — everything will be on the table if there is a breakout. So in its new  
15 form, the bill clears, I think, a very strong path forward for Congress to vote up or  
16 down on sanctions that it imposed. That is the way I view the bill. I view the bill a vote  
17 on sanctions that we imposed.

18 Now, I want to be clear because, you know, I always am straight from the heart,  
19 straight from the shoulder. If this bill is altered in ways that threaten this once-in-a-

1 lifetime opportunity to deal with a looming crisis, I will use every tool at my disposal to  
2 stop that from happening. This is just too important.

3 So I want to thank not only the leaders of this committee, and that does include  
4 Senator Menendez if I failed to mention him before, but also this Administration for its  
5 extraordinary efforts in putting together a framework addressing Iran's nuclear future.  
6 And I looked at the framework, and what I can say about it is it does call for intrusive  
7 inspections, not only of Iran's nuclear facilities, but of the supply chain. That is critical  
8 and an actual rollback of nuclear capabilities. This is not a freeze. This is a rollback.

9 So I for one have positive views about the framework, and literally pray that the  
10 progress will continue because as I look at the alternative, to me — did you plan that?

11 [Laughter.]

12 **SENATOR BOXER.** As I look at the alternative to this negotiation, this ongoing  
13 negotiation, it is frightening to the American people. They do not want another war.  
14 We had a colleague on the other side of the aisle actually call for bombing Iran now, and  
15 I fear that there are a lot more than one that feels this way. And I think by taking  
16 control — this committee taking control of this process, Mr. Chairman, I think it is the  
17 best thing we can do.

18 The very last point, I hope people read the letter we got from 50 leaders,  
19 bipartisan, eight administrations, five Republican Administrations and three  
20 Democratic Administrations, urging us not to take any action to derail the ongoing

1 negotiations. And I have to tell you, they are smart people. They know what they are  
2 talking about. And that is why I was very, very concerned.

3 Now, frankly, if I was in the chair, which I am not, I would probably start off by  
4 holding hearings and call up all those experts and look at the framework before we  
5 went to today's markup. But we are where we are, and I feel good that we have moved  
6 to a place that does not threaten these ongoing negotiations. And I thank everyone  
7 again for their effort.

8 **THE CHAIRMAN.** Thank you. If I could, I want to move to Senator Rubio. But I just  
9 want to clarify again, it is my understanding that no one is discussing waiting to vote on  
10 this legislation after it comes out of committee on the floor that we are ready to vote on  
11 on the floor. You were referring voting on the resolution for approval or disapproval —

12 **SENATOR BOXER.** Correct.

13 **THE CHAIRMAN.** — after the Administration actually presents us a bill. So we are  
14 clearing the way for a strong vote on the floor if we pass this out today. Senator —

15 **SENATOR BOXER.** Well, if I could say what I meant?

16 **THE CHAIRMAN.** Yes.

17 **SENATOR BOXER.** There may be some horrible amendments that are offered on the  
18 floor that to me these amendments that could be offered on the floor, which would  
19 destroy this very delicate balance that you two have achieved. And I wanted to put it  
20 out there that I am not going to sit back and say, go for it. I am not. I am going to use

1 every tool at my disposal to keep it the way it is because, I mean, there is no such thing  
2 as perfection, but I think the two of you have struck just the right balance. I want to  
3 protect that on the floor when this comes up.

4 **THE CHAIRMAN.** Thank you so much. Senator Rubio, who has contributed heavily,  
5 especially on the issues relative to Israel, and I want to thank him so much for his  
6 contribution and constructive efforts in that regard.

**STATEMENT OF HON. MARCO RUBIO,  
U.S. SENATOR FROM FLORIDA**

7 **SENATOR RUBIO.** Well, I want to thank you, Mr. Chairman, and the ranking  
8 member for your cooperation and your help on this issue, and for Senator Boxer who as  
9 well had a second degree amendment on this issue. We were able to work together.

10 But I do want to say that I am even more concerned about not simply destroying  
11 the delicate balance of this bill. I am concerned about the destruction of Israel, and I  
12 will tell you why I am concerned about the destruction of Israel. In July of 2014,  
13 Ayatollah Khamenei tweeted, "This barbaric, wolf-like, and infanticidal regime of Israel"  
14 — hashtag Israel by the way — "which spares no crime, has no cure but to be  
15 annihilated."

16 In November of 2014, the Supreme Leader's Twitter account posted this. It is a  
17 chart showing nine questions about the elimination of Israel. "Why should the Zionist  
18 regime be eliminated? During its 66 years of life so far, the fake Zionist regime has tried  
19 to realize its goal by means of infanticide, homicide, violence, and iron fists, while it

1 boasts about it blatantly." It goes on to say — he calls for some sort of referendum  
2 where the Jews cannot participate, and they will have to go back to their country,  
3 whatever that means.

4 "But until a referendum is held, how should Israel be confronted? Up until the  
5 day when this homicidal and infanticidal regime is eliminated through a referendum,  
6 powerful confrontation and resolute and armed resistance is the cure of this ruinous  
7 regime. The only means of confronting a regime which commits crimes beyond one's  
8 thought in imagination is a resolute and armed confrontation." Here's another quote  
9 from Ayatollah Ali Khamenei. "It is the mission of the Islamic Republic of Iran to erase  
10 Israel from the map of the region."

11 I think at some point when someone keeps saying they want to destroy you, you  
12 should take them seriously. And our concern here, and what I want to do is I wanted  
13 there to be an amendment on this where the President would have to certify to  
14 Congress that Iran's leaders have publicly accepted Israel's right to exist, or at a  
15 minimum that whatever deal we are agreeing to here does not put the existence of  
16 Israel, not to mention its security, on unstable ground.

17 Now, I appreciate that there have been changes to the bill that, "It is the sense of  
18 the Congress that the President should determine the agreement in no way  
19 compromises the commitment of the United States to Israel's security, nor its support  
20 for Israel's right to exist." I think that is better than not having it in there at all.



1 But this an issue we are going to have to talk about on the floor as we move  
2 forward beyond this place today, because while we are concerned no doubt about the  
3 national security of the United States and the implications of a nuclear Iran, that is also,  
4 by the way, moving forward on ballistic missiles. And you do not build ballistic  
5 missiles because you want to do some fancy fireworks show. You build ballistic  
6 missiles because you want to put a nuclear warhead on it. And as they move forward  
7 on this program, not only does that pose a risk to the United States ultimately, it poses  
8 an immediate risk to Israel. You want to know how I know that? Because the Supreme  
9 Leader has said it himself repeatedly.

10 And so, I appreciate the work and the accommodations that you have made to  
11 include this language. It is certainly better than not having it at all. This is an important  
12 debate for us to have. And I also appreciate, by the way, that we added in the "sense of  
13 the Congress that United States' sanctions on Iran for terrorism, human rights abuses,  
14 and ballistic missiles will remain in place under an agreement." I thought that was  
15 important. But thank you for allowing me to work with you.

16 **THE CHAIRMAN.** Thank you. Senator Shaheen?

**STATEMENT OF HON. JEANNE SHAHEEN,  
U.S. SENATOR FROM NEW HAMPSHIRE**

17 **SENATOR SHAHEEN.** Thank you, Mr. Chairman. I will not repeat all of the eloquent  
18 statements that have been made. But I do want to reiterate what has been said about  
19 the leadership from you, Senator Cardin, Senator Menendez, and Senator Kaine,

1 relative to getting an agreement on this legislation, because I think, as you have said, it  
2 is not only important to the future of the Foreign Relations Committee and the very  
3 important work that we should be doing, but I think it also sends a very important  
4 signal to the people of this country that we can work together on big issues to address  
5 common problems that face the country, and we should be doing that as often as  
6 possible in the future.

7 So I just want to congratulate you again for the work that you have done, and I  
8 do intend to support this legislation.

9 **THE CHAIRMAN.** Thank you. Senator Johnson?

**STATEMENT OF HON. RON JOHNSON,  
U.S. SENATOR FROM WISCONSIN**

10 **SENATOR JOHNSON.** Mr. Chairman, I also thank the chairman and the people who  
11 have worked on this agreement. I understand it has been a tough row to hoe, and I  
12 realize your challenge in trying to accomplish creating a piece of legislation that could  
13 get bipartisan support and overcome a threatened presidential veto. So I understand  
14 what you have been working with here. I understand the challenge.

15 I did offer a number of amendments to provide clarity. Now, if we have reached  
16 agreement and we can take this to the floor of the Senate, I will withhold offering those  
17 amendments during this markup. But I do want to talk about what this piece of  
18 legislation is and what it is not, provide that type of clarity.

1           You said it creates a rightful role of Congress. Well, it creates a role, no doubt  
2 about that, and right now we have no role. So I would rather have a role than no role  
3 whatsoever because this Administration has pretty well bypassed Congress from the  
4 standpoint of negotiating this agreement. And I realize it is the executive, the  
5 Commander-in-Chief, that has to negotiate this. But this is a role. It is congressional  
6 review, potentially congressional oversight, but it is not advice and consent.

7           It is a long way from advice and consent. From my standpoint, I think this  
8 agreement that President Obama is negotiating certainly rises to the level of a treaty,  
9 and there is no set criteria for what a treaty is. There are considerations, and the U.S.  
10 State Department's own *Foreign Affairs Manual* lists those considerations, and one of  
11 them is the extent to which the agreement involves commitments or risks affecting the  
12 Nation as a whole. I think this agreement affects and involves the commitments and  
13 risk affecting this Nation. The third consideration, whether the agreement can be given  
14 effect without the enactment of subsequent legislation by the Congress. I think that  
15 applies.

16           So from my standpoint, what President Obama is doing on behalf of America is a  
17 treaty, and according to the Constitution, treaties should be subjected to the advice and  
18 consent of the Senate. Now, that would what mean if we were really doing — engaged  
19 in our role of advice and consent, that requires 67 senators to affirmatively approve of

1 this deal. That is not what is going to happen here. We will not have 67 senators  
2 approving of this deal. That is not what this bill is going to do.

3 Now, there are basically three types of international agreements. There is a  
4 treaty that requires the advice and consent. There is also congressional executive  
5 agreements. Now, if you have congressional executive agreement subject to regular  
6 order, well, that would be subject to a filibuster, so in that case you would need 60  
7 senators affirmatively approving of that agreement. And that is still a pretty high  
8 hurdle.

9 Now, there potentially could be congressional executive agreements under  
10 expedited procedures, would not allow filibuster. That would then require 50 senators  
11 as well as a majority in the House. Both the congressional executive agreements would  
12 require a majority of the House affirmatively approving the agreement. In other words,  
13 allowing the American people to have a say in an agreement that involves  
14 commitments or risks affecting the Nation as a whole through their elected  
15 representatives.

16 Now, what this bill does, it kind of turns the advice and consent on its head  
17 because it basically allows for a vote of disapproval. In order for that vote of  
18 disapproval to actually have an effect of potentially stopping a really bad deal that  
19 involves commitments or risks affecting the Nation as a whole, well, if it is not vetoed,  
20 that would require 60 senators voting for disapproval, which means 41 senators could

1 approve this deal and we would not have that vote of approval. Now, if that vote of  
2 disapproval is vetoed by the President, we would need to overcome that veto with 67  
3 senators, which means 34 senators would be required to approve this deal.

4         So, again, this piece of legislation, which, again, I appreciate the fact that at least  
5 this gives us a role. It is an incredibly limited role. It is a role with very little teeth. It is  
6 a far cry from advice and consent of 67 senators voting in the affirmative that this a  
7 good deal for America. I still — it is beyond me why Democrats simply will not agree  
8 to the fact that more than one person should actually be able to evaluate whether this is  
9 a good deal or not. Right now the way it is, there is one person, the President of the  
10 United States. President Obama is going to decide for America that this is a good deal  
11 or a bad deal.

12         I believe the American people should be involved in that decision through their  
13 elected representatives. I believe this agreement that President Obama is negotiating  
14 rises to the level of a treaty. I believe we should be providing that advice and consent. I  
15 believe we should be affirmatively approving this thing with 67 votes, but, in fact, it is  
16 going to be this piece of legislation.

17         So, again, I have made my point. I think I have provided clarity, and I will  
18 support this as long as basically the deal that has been struck is approved here. Thank  
19 you.

1           **THE CHAIRMAN.** Well, I appreciate the comments. And, you know, if I could wave  
2 a wand or pigs begin to fly, we could turn this into the type of agreement that has been  
3 discussed, but I will say this. The Administration, as you know in the previous hearing  
4 we had, has been fighting strongly against this. Secretary Kerry was fighting against  
5 this earlier today. I know they have relented because of what they believe to be the  
6 outcome here. But I believe this is going to be an important role, and especially the  
7 compliance pieces that come afterward, a very significant thing that did not occur under  
8 the North Korean agreement, and gives us significant teeth if a deal is achieved. But I  
9 want to thank you for your comments.

10           **SENATOR JOHNSON.** And, again, and I agree with that, and I appreciate that, which  
11 is why I will vote this out of committee.

12           **THE CHAIRMAN.** Thank you so much.

13           **SENATOR CARDIN.** Mr. Chairman, I do not think we will convince any  
14 Administration, Democrat or Republican, that Congress should have any role in  
15 anything that they do. We understand that.

16           [Laughter.]

17           **SENATOR CARDIN.** That is a given. But I just want to assure you that in my  
18 conversations with the Administration, it has been a very positive conversation over the  
19 last 10 days looking for a way that they could resolve the concerns that they had in a  
20 genuine way. So I just want it to be clear that I think the Administration has been very

1 open about trying to get where we are today, and I just thank you for allowing us to  
2 have that open process.

3 **THE CHAIRMAN.** Senator Coons, who also has been incredibly constructive. And  
4 we made our first trip — your first trip to Afghanistan together, and I appreciate your  
5 significant input on the committee.

6 STATEMENT OF HON. CHRIS COONS, U.S. SENATOR FROM DELAWARE

7 **SENATOR COONS.** Well, thank you, Chairman Corker and Ranking Member. Thank  
8 you for the clear-eyed and the tough way in which you have negotiated this  
9 compromise that is in front of us this afternoon. We have a broad and shared common  
10 goal, which is to prevent a nuclear capable Iran. The only question in front of us is what  
11 role will this Congress and this committee play in important foreign policy decisions,  
12 and, in particular, in the consideration of a deal with Iran and the P5+1 partners, should  
13 there be one.

14 And so, I want to thank Senator Menendez for his leadership of this committee in  
15 his role as ranking member in laying a lot of the groundwork for this, Senator Kaine for  
16 persistently raising on a bipartisan basis that Congress should have a role. And I want  
17 to thank you for including in this package, this compromise, two amendments I filed a  
18 week ago. And I look forward to supporting it and hopefully to our moving it out  
19 today with a strong bipartisan vote.

1           But we have a simple question about which path forward today this committee  
2 will take. We can by passing this package ensure that in the event of a deal with Iran,  
3 Congress has a constructive and a defined role to play, an opportunity to review the  
4 deal and, as you have said, to stay engaged in oversight, or we can reject it and expose a  
5 potential deal with Iran to messy, endless, unpredictably timed attempts from Congress  
6 to prevent that from being implemented. We can embrace this compromise and thus  
7 help our diplomats and our negotiators by presenting a unified position and a  
8 reasonable process for congressional review, or we can reject it and hurt our diplomats  
9 and negotiators by creating another partisan fiasco and sending mixed messages to the  
10 world.

11           It is my hope that we will not reject this agreement. By doing so, we would once  
12 again have this committee serve as a minor speed bump as this Administration and  
13 future Administrations proceed to make American foreign policy largely unrestrained.  
14 We can enact this. We can pass this out of committee today and reassert that the Senate  
15 Foreign Relations Committee has an important role to play in our Nation foreign policy  
16 decisions. It is my hope that on a bipartisan basis we will do just that and take the  
17 reasoned and responsible path forward. And thank you to both of you for making this  
18 possible.

19           **THE CHAIRMAN.** Senator Flake, who has been so constructive throughout this from  
20 the very beginning. Thank you so much.



1           **SENATOR FLAKE.** I appreciate that, and in the interest of voting on this before the  
2 Administration submits the final agreement, I will yield.

3           [Laughter.]

4           **THE CHAIRMAN.** Any other opening comments? Senator Udall?

**STATEMENT OF HON. TOM UDALL,  
U.S. SENATOR FROM NEW MEXICO**

5           **SENATOR UDALL.** I agree with the thrust of what Senator Flake has said, and I just  
6 want to say very briefly — I will not take all my time here. But I think this committee  
7 and what Chairman Corker, and the ranking member, and Senator Menendez, and the  
8 others that have worked on this have done is has been incredibly important because  
9 Arthur Vandenberg used to use the phrase "Politics stop at the water's edge," which is  
10 the best tradition I believe of the Senate Foreign Relations Committee. And I think that  
11 is what we have seen today with you, Chairman Corker, and Ranking Member Cardin,  
12 and Senator Menendez, everybody working together to try to find a way through this.  
13 And so, I just congratulate you on doing that.

14           I think, Chairman Corker, you had incredible restraint in not getting on that  
15 letter that was sent to the Ayatollah, and I think once again I would just pat you on the  
16 back for that because I think once again that is in the tradition of this committee trying  
17 to do the best bipartisan foreign policy it can.

18           The one other thing I want to do is, and it is behind the scenes. This agreement  
19 that the Administration is working on has had a lot to do with the National Laboratory

1 Secretary Moniz talked about to us earlier. We have two of the three national security  
2 labs in New Mexico. We cannot talk now about all the great things those scientists have  
3 done and the contributions they have made, but they are really on top of these nuclear  
4 enterprise issues. And I know the story will come out eventually how important that is.  
5 And I would ask that the *Washington Post* editorial by Moniz be put in the record at this  
6 point.

7 Thank you all for your work again.

**[The information referred to follows:]**

**[COMMITTEE INSERT]**

8 **THE CHAIRMAN.** Thank you, and I have visited both of those labs with you, as a  
9 matter of fact. And certainly they are — play an incredible role in our national security  
10 as is the Oak Ridge Lab in Tennessee in cooperation with them on these issues.

11 So any other comments? Senator Kaine, yes, sir.

**STATEMENT OF HON. TIM KAINE,  
U.S. SENATOR FROM VIRGINIA**

12 **SENATOR KAINE.** Thank you, Mr. Chair, and to all committee members. I strongly  
13 supported the beginning of the negotiation with Iran when President Obama  
14 announced it in November of 2013, and really viewed it as the fruition of your efforts. I  
15 was not in the Senate when the sanctions regime were passed, and so to those of you  
16 who were, the economic realities of that regime opened up an opportunity, and our  
17 President did what we would want the President to do, to seek a diplomatic answer to a  
18 very difficult question.

1 I also have a number of questions about the framework of the deal that was  
2 announced on April 2nd, but see much in that framework that I feel positively about.  
3 The rollback of the enriched uranium stockpile from 10,000 kilograms to 300 is massive,  
4 and the agreement of Iran, at least in the framework, to participate in the IAEA as an  
5 additional protocol for inspection, also significant.

6 So I am pro-diplomacy, and I see positives in the framework, but I have been  
7 strongly pro the need for congressional approval. There has been some suggestion that  
8 if you think Congress needs to approve this you are anti-diplomacy. That is ridiculous.  
9 There has even been some suggestion if you think Congress needs to approve this, you  
10 are pro war. That is offensive. We have a role under Article 2, and I actually think that  
11 congressional approval in this instance under the framework that is now before us is  
12 necessary, helpful, and what the American public demands and deserves. It is  
13 necessary because at the core this is a negotiation about what must Iran do to get out  
14 from under a congressional sanctions regime, so Congress will be involved.

15 It is helpful because since Congress will be involved, the only question is will  
16 that involvement be helpful and orderly, or will it be under free-for-all rules. Much  
17 better for us, much better for the Administration, much better for the P5+1, much better  
18 for Iran that we are asking to make concessions, big concessions, for them to see a  
19 process that is orderly and constructive.

1           And finally, it is something that the American public, our role, they really  
2   deserve it. I have been talking to Virginians about this now for many months, and then  
3   I have recently — more recently seen some polling that seems kind of odd if you look at  
4   it, but it does make sense. The American public, just as we do, is deeply concerned  
5   about an Iranian nuclear weapons program. The American public, just as we are, really  
6   hopes that we will find a diplomatic answer to that problem if we can. They prefer  
7   diplomacy over war just like we all do.

8           The American public is deeply skeptical, just like we are, about Iran's intentions.  
9   Will Iran comply with an agreement? The American public overwhelmingly wants  
10   Congress to approve a deal rather than the President just to announce a deal. Focus on  
11   that one for a minute. Why do my constituents and yours want a deal to have to be  
12   approved by Congress? It is not out of disrespect for the President, and it is not because  
13   they love Congress. Let me share with you what they think about Congress. It is not  
14   exactly great.

15           They are so concerned about the magnitude of this deal that they will feel more  
16   comfortable if both the executive and the legislature take a look and say this is in the  
17   best interests of the Nation. This is why people get a second opinion if they hear from a  
18   doctor something they do not like. The American public knows this is big. They will  
19   feel more comfortable if it is both the executive and the legislature reviewing it.

1           So that is why I am strongly in support of this, and I want to thank you, Mr.  
2 Chair, Senator Cardin, Senator Menendez, all the colleagues, and the White House for  
3 weighing in here at the end so that we could find a path forward. Thank you very  
4 much.

5           **THE CHAIRMAN.** Thank you. Senator Murphy?

**STATEMENT OF HON. CHRIS MURPHY,  
U.S. SENATOR FROM CONNECTICUT**

6           **SENATOR MURPHY.** Thank you very much, Mr. Chairman. Thank you to you and  
7 the ranking member, as well as the White House for bringing, I think, this incredibly  
8 productive compromise before us today.

9           You know, I have been of like mind with Senator Boxer. I have believed that this  
10 has been a largely unnecessary endeavor in that the legislation that we are debating  
11 today does not really reserve for Congress any power that we do not already have. We  
12 had the ability before this debate to be able to review this agreement once it is  
13 submitted to Congress and to be able to take away from the President the power to  
14 waive sanctions. And after the passage of this bill, we still have that power.

15           And so, all along my concern has simply been whether we are engaging in an  
16 effort that is going to make it less likely rather than more likely that we are going to get  
17 a deal to review. I reserve the right to be able to weigh in that agreement. I just want to  
18 make sure that we are not taking any steps that lessen the chances that we will be able  
19 to conduct that oversight when the time is appropriate.

1           And I would just reiterate what we have heard today from the Administration. I  
2 think we have heard very clearly that the changes that have been made over the past 24  
3 to 48 hours essentially make this legislation benign as it relates to the negotiations, that  
4 there is a belief that with these changes — the shortened timeframe, the removal of the  
5 terrorist certification — that this legislation, the passage of it, is not going to effect the  
6 negotiations or the ability for us as a body to see the final agreement. So I am happy to  
7 support it.

8           My final comment is just this one, and it builds frankly off of a comment from  
9 Senator Kaine. I do worry about a double standard of oversight in this Congress, and I  
10 do not worry about it when it comes to Senator Kaine because he was right there at the  
11 beginning saying that we should oversee the President's proposed military action in the  
12 Middle East. But we have a constitutional duty to declare war, and we have been in this  
13 committee now for about four months and have not taken any progress to fulfill what is  
14 our constitutional obligation to oversee war.

15           I would argue in a differential position to Senator Johnson that we do not have a  
16 constitutional obligation here, and we frankly do not even have the ability to weigh in  
17 until after we see a final agreement. And so, I just do not want to be in a situation  
18 where we have a higher standard of oversight on diplomacy than we have for war.

19           And so, I am glad to support this compromise moving forward. I think it will  
20 provide for a useful framework for the review of this agreement should it be entered

1 into. But I want to make sure that this committee moving forward is just as vigorous in  
2 its oversight over war making powers as it is over diplomacy. I do not think is an attack  
3 on diplomacy, but I am hopeful that we will show some consistency in the weeks and  
4 months to come.

5 **THE CHAIRMAN.** Thank you. I do want to — I have to say this. I apologize, but I  
6 think the reason the Administration in the last two hours has chosen to the path that  
7 they are now taking is the number of senators that they realized were going to support  
8 this legislation. So anyway, I have a 180-degree different view of what has happened  
9 over the last couple of hours, but I appreciate your comments.

10 Senator Markey?

**STATEMENT OF HON. ED MARKEY,  
U.S. SENATOR FROM MASSACHUSETTS**

11 **SENATOR MARKEY.** Thank you, Mr. Chairman. And, again, we cannot praise you  
12 enough for the way that you are conducting this committee. I think this is really in the  
13 best tradition of the Senate Foreign Relations Committee in the way that people might  
14 understand it to be, but oftentimes it is not. And I thank you, Senator Cardin, for your  
15 excellent work in helping to create a bridge that has brought us to this moment.

16 But I also want to thank Senator Menendez and Senator Kaine for their work in  
17 ensuring that there would be a protection of congressional prerogatives, especially in an  
18 area where the sanctions were actually a congressional idea. It originated here, and to a  
19 very large extent that is why the Iranians have come to the table. So it is all together

1 fitting and appropriate that we are at this moment, and that there is going to be an  
2 assertion of this congressional prerogative to oversee such an important matter. So we  
3 congratulate all of you. And by the way, every member of the committee who  
4 participated in this process.

5         There is no more important subject for the Congress to have to deal with. The  
6 IAEA is perhaps the least well-known, most important institution on the planet. That is  
7 what we are going to be debating over the next four or five months, the role that the  
8 IAEA can play in avoiding a dramatic escalation of nuclear weapons proliferation in the  
9 Middle East that we have avoided for 70 years. And so, it is going to be critical for the  
10 Senate, for the House to be able to determine the adequacy of the inspections regime.  
11 The funding made available to ensure that the IAEA can be the policeman on the beat,  
12 can be the protector against a compromise of a civilian nuclear program that in the  
13 wrong hands can turn into a nuclear bomb factory. That is what this is all about.

14         That is why the Israelis are looking at this so closely. It is why the Saudis, the  
15 Egyptians, the Turks are all looking at this one issue so closely, because if we get it  
16 wrong, it is going to lead to the escalation that we have awarded over all of these  
17 decades.

18         And so, this is a big moment, and I think this committee has handled this issue  
19 very responsibly. And I think to a certain extent, just listening to expert opinion, I think  
20 there is kind of a surprise that some people have had with regard to the specificity in



1 the agreement, which Senator Kerry and Senator Moniz — Secretary Moniz and  
2 President Obama have brought back to America. And it should give us some hope that  
3 an agreement can be reached that accomplishes all of those goals.

4 But it is also appropriate for this committee, for the Senate, to advise and  
5 consent, to have a role in conducting the hearings and hearing the evidence, and the  
6 making the decision because a lot of the rest of the history of the 21st century is going to  
7 actually ride on how this agreement is, in fact, written and enforced.

8 And so, I keep coming back to thanking you for the way in which you are  
9 conducting it. It is the appropriate role for this committee and for the Senate. And I  
10 cannot praise Senator Kaine, Menendez, Cardin, and you, Mr. Chairman, enough for  
11 the incredible work which you have done. And I yield back.

12 **THE CHAIRMAN.** Thank you. Are there anymore opening comments?

13 [No response.]

14 **THE CHAIRMAN.** Seeing none, I would entertain a motion that we consider the  
15 manager's amendment by roll call vote.

16 Voice: So moved.

17 **THE CHAIRMAN.** Moved. Is there a second?

18 **SENATOR BOXER.** Second.

19 **SENATOR ISAKSON.** Mr. Chairman? At the appropriate time, I would like to make a  
20 comment with regard with what we incorporated in the manager's amendment.

1           **THE CHAIRMAN.** Actually I think you can go ahead and do that now. That would  
2 be fine. Thank you. Thank you for your involvement in this and making this bill better  
3 as it is today.

4           **SENATOR ISAKSON.** I just want to thank Chairman Corker and Ranking Member  
5 Cardin for their cooperation today. As many of you will remember, for five years I  
6 have worked to see to it that the 44 living Americans who were hostages in Iran in 1979  
7 are compensated for their loss and their time. When we negotiated the Algerian  
8 Accords to release those people, at that time it was 52 living people. We specifically  
9 negotiated away their ability to get compensation from the Iranian government.

10           I have a bill which I offered as an amendment which I will withdraw for reasons  
11 that I understand that would allow us to collect compensation from the Iranian  
12 sanctions money, which is available and accessible, to compensate each one of those  
13 remaining 44 citizens who are still alive today. The chairman and the ranking member  
14 asked me to withdraw the amendment because it is not appropriate given the nature of  
15 the framework of the deal, and I agree with that. But you were both gracious enough to  
16 include it in the manager's amendment.

17           I appreciate that very much and appreciate Chairman Corker's willingness to, at  
18 a time in the near future, which hopefully will be the immediate future, to allow the  
19 legislation to come before the committee. We owe those Americans everything. They  
20 were captive and tortured and beaten for 444 days. They are the only American

1 civilians ever kept in captivity that never got some sort of compensation back from their  
2 captors and their tormentors, and I want to see to it that that happens.

3 But I want to thank the chairman and the ranking member for everything they  
4 have done to allow that and put that in the manager's amendment. And I withdraw my  
5 other amendment.

6 **THE CHAIRMAN.** Thank you, and thank you for your steadfast support of these  
7 families with everything they have gone through. Is there any member that would like  
8 to offer an amendment to the manager's package?

9 **SENATOR BARRASSO.** Mr. Chairman?

10 **THE CHAIRMAN.** Senator Barrasso?

11 **SENATOR BARRASSO.** Thank you, Mr. Chairman. I would like to call up Barrasso  
12 amendment to the manager's amendment. This restores the language from the  
13 underlying base bill on the terrorism certification. It is simple. It is straightforward. It  
14 just reestablishes the requirement that the President certify Iran has not directly  
15 supported or carried out an act of terrorism against the United States or a United States  
16 person anywhere in the world.

17 This was in the original piece of legislation. It is the bill that had significant  
18 bipartisan support, bipartisan co-sponsorship. And Iran has been designated by the  
19 United States as a state sponsor of terrorism since 1984. I think it is critical for the  
20 President to make this certification to Congress and to the American people we are

1 serious about our national security. I think it is important that the committee clearly  
2 state that we will not tolerate terrorism against our Nation.

3 **THE CHAIRMAN.** Thank you, and if I could just respond. First of all, I want to thank  
4 the senator for the way he has conducted himself and certainly raising this issue. And I  
5 just would like for the audience and the world to know, this was a request by Senator  
6 Menendez actually that this be initially put in the bill. It is very difficult for me to  
7 understand why a certification like this would not easily be made candidly. We have  
8 more information about terrorism in this bill than we have ever had before.

9 And my guess is if Iran attempted a terrorist against an American, they not only  
10 would have sanctions, but likely missiles and bombs. So I do not know why this could  
11 not be agreed to, but it was true that the Administration did not want to have other  
12 issues not relevant to the nuclear deal in this. I have agreed to that, and while I support  
13 your amendment and support the base bill as it was before, I think the senator knows  
14 that I will oppose it. And I think I understand this creates problems for the balance, if  
15 you will, that we have today with that.

16 The ranking member?

17 **SENATOR CARDIN.** Thank you, Mr. Chairman. Let me explain. First of all, I agree  
18 with the chairman. I know that the sponsor of this amendment is well intended. We all  
19 want to see Iran end its terrorism influence in many regions of the world that are very,

1 very troubling to world stability. It is a major continuing problem. So we agree  
2 completely with the intent of this amendment.

3 I disagree with the chairman, though, about the impact of this amendment. This  
4 amendment would have had the unintended consequence of, I think, defeating any  
5 possibility for diplomacy, and let me explain why. The President would not be able to  
6 make this certification. Because he could not make the certification, there would be an  
7 expedited process for sanctions against Iran. And, therefore, it would be totally  
8 contrary to what is being negotiated today in regards to the nuclear nonproliferation  
9 obligations of Iran related to what they will do to give up their nuclear weapons in  
10 regards to sanctions that were imposed because they violated their nuclear proliferation  
11 obligations.

12 There are separate sanctions in regards to terrorism, ballistic missiles, and human  
13 rights. And the manager's amendment makes it clear that nothing in the negotiations  
14 affect those sanction regimes. So we have that tool in place, but it is not the sanctions  
15 that were imposed in regards to the nuclear proliferation discussions. So, therefore, if  
16 this became a part of the bill, it would very likely be used as a reason to say that  
17 diplomacy cannot work because the President cannot make those certifications, cannot  
18 give the relief that is being negotiated. And the U.S. would be blamed for the ends of  
19 negotiations, putting Iran actually in a stronger position internationally than they are  
20 today. I know that is not Senator Barrasso's intent, but I think that is the consequence.

1           Let me, though, point out Senator Menendez in the original bill included very  
2 strong report language on the terrorism activities of Iran that must be submitted to  
3 Congress on a periodic basis. That language is not only included in the manager's  
4 amendment, but strengthened in the manager's amendment. We have also included  
5 other language that, "The President must submit all actions, including international fora  
6 being taken by the United States to stop counter condemn acts by Iran to directly or  
7 indirectly carry out acts of terrorism against the United States and U.S. persons, the  
8 impact of national security of the United States, and the safety of American citizens as a  
9 result of any Iranian actions reported under this paragraph."

10           And an additional paragraph was added, "an assessment of whether violations of  
11 internationally recognized human rights have changed, increased, or decreased as  
12 compared to the prior 180-day period." These reports are due every six months. So it is  
13 a very strong provision in regards to keeping Congress informed as to these types of  
14 activities. And, of course, we always have the right to take action.

15           So I just would urge my colleague to recognize the certification provisions could  
16 very well compromise the ability of the United States to continue its negotiations,  
17 whereas this manager's amendment is very strong on the terrorism issues.

18           **THE CHAIRMAN.** Yes, sir. Senator Menendez?

19           **SENATOR MENENDEZ.** Very briefly, let me say I have no doubt that Iran is a major  
20 state sponsor of terrorism, and not because I say it, but because the State Department

1 says it, so that is real. Having said that, my reason for seeking to include it was  
2 concerns that non-nuclear sanctions would be waived as it relates to terrorism and other  
3 elements.

4 In view of the language that makes it clear that none of those other sanctions will  
5 be waived as a result of any nuclear deal, I certainly support the bill as it presently  
6 stands, and I will continue to pursue Iran as it relates to a state sponsor of terrorism in  
7 other venues. But I think it is so important having that clear now, that it is not going to  
8 be waived under any set of circumstances to have this type of process for the Senate to  
9 review any potential deal at the end of the day, that I do not think that this is an  
10 impediment to our goal of both having a review process and making sure that Iran  
11 continues to suffer the consequences for being a state sponsor of terrorism. Thank you.

12 **THE CHAIRMAN.** Thank you. If there are — yes, sir?

13 **SENATOR GARDNER.** Mr. Chairman, I would speak in favor of the Barrasso  
14 amendment. We know that Iran has targeted and killed Americans. And I would just  
15 point out in the op-ed written about a week ago by Secretaries Schultz and Kissinger in  
16 the *Wall Street Journal*, their statements that, "With the recent addition of Yemen as a  
17 battlefield, Tehran occupies positions along all the Middle East strategic waterways and  
18 encircles arch rival Saudi Arabia and American allies. And unless political restraint is  
19 linked to nuclear restraint, an agreement freeing Iran from sanctions, risks, empowering  
20 Iran's hegemonic tendencies — efforts" — excuse me. "Absent the linkage between

1 nuclear and political restraint, America's traditional allies will conclude that the U.S. has  
2 traded temporary nuclear cooperation for acquiescence to Iranian hegemony." I think it  
3 is important that we have this in here as the former secretaries have pointed out.

4 **THE CHAIRMAN.** Thank you very much. I have spent a lot of time talking to  
5 Secretary Kissinger. Like many of us, we have that ability, and I could not agree more  
6 with the comments that were in the op-ed. And that is why the language that Senator  
7 Menendez has mentioned clears that up and absolutely makes it known to all that we in  
8 no way — no way — as part of the agreement that we will discuss later if we pass this  
9 legislation, in no way will those sanctions be removed.

10 And I might add, to the extent we have the information that will be much more  
11 available to us from an intelligence standpoint as to what has happened, we have the  
12 tool of all of these sanctions that we are talking about today to even add to that. But I  
13 know the senator would like to have a vote if there is no objection. Do you want to  
14 speak to it anymore?

15 [No response.]

16 **THE CHAIRMAN.** Let us have a roll call vote.

17 **THE CLERK.** Mr. Risch?

18 **SENATOR RISCH.** Aye.

19 **THE CLERK.** Mr. Rubio?

20 **SENATOR RUBIO.** Aye.



1           **THE CLERK.** Mr. Johnson?  
2           **SENATOR JOHNSON.** Aye.  
3           **THE CLERK.** Mr. Flake?  
4           **SENATOR FLAKE.** No.  
5           **THE CLERK.** Mr. Gardner?  
6           **SENATOR GARDNER.** Aye.  
7           **THE CLERK.** Mr. Perdue?  
8           **SENATOR PERDUE.** No.  
9           **THE CLERK.** Mr. Isakson?  
10          **SENATOR ISAKSON.** No.  
11          **THE CLERK.** Mr. Paul?  
12          **SENATOR PAUL.** Aye.  
13          **THE CLERK.** Mr. Barrasso?  
14          **SENATOR BARRASSO.** Aye.  
15          **THE CLERK.** Mr. Cardin?  
16          **SENATOR CARDIN.** No.  
17          **THE CLERK.** Mrs. Boxer?  
18          **SENATOR BOXER.** No.  
19          **THE CLERK.** Mr. Menendez?  
20          **SENATOR MENENDEZ.** No.

1           **THE CLERK.** Mrs. Shaheen?

2           **SENATOR SHAHEEN.** No.

3           **THE CLERK.** Mr. Coons?

4           **SENATOR COONS.** No.

5           **THE CLERK.** Mr. Udall?

6           **SENATOR UDALL.** No.

7           **THE CLERK.** Mr. Murphy?

8           **SENATOR MURPHY.** No.

9           **THE CLERK.** Mr. Kaine?

10          **SENATOR KAINE.** No.

11          **THE CLERK.** Mr. Markey?

12          **SENATOR MARKEY.** No.

13          **THE CLERK.** Mr. Chairman?

14          **THE CHAIRMAN.** No.

15          The clerk will report.

16          **THE CLERK.** Mr. Chairman, the yeas are six, the nays are 13.

17          **THE CHAIRMAN.** Thank you. And, again, I thank you so much for the way you have  
18 worked on this and your ability to raise that issue again in here. I very much appreciate  
19 that.

1           So it is my understanding then if there are no other amendments — are there any  
2 other amendments?

3           **VOICE.** No.

4           **THE CHAIRMAN.** I think we have had a motion and a second to move to the  
5 manager's package, which we will now vote on. And if I would — if the clerk would  
6 please call the roll.

7           **THE CLERK.** Mr. Risch?

8           **SENATOR RISCH.** Aye.

9           **THE CLERK.** Mr. Rubio?

10          **SENATOR RUBIO.** Aye.

11          **THE CLERK.** Mr. Johnson?

12          **SENATOR JOHNSON.** Aye.

13          **THE CLERK.** Mr. Flake?

14          **SENATOR FLAKE.** Aye.

15          **THE CLERK.** Mr. Gardner?

16          **SENATOR GARDNER.** Aye.

17          **THE CLERK.** Mr. Perdue?

18          **SENATOR PERDUE.** Aye.

19          **THE CLERK.** Mr. Isakson?

20          **SENATOR ISAKSON.** Aye.

1           **THE CLERK.** Mr. Paul?  
2           **SENATOR PAUL.** Aye.  
3           **THE CLERK.** Mr. Barrasso?  
4           **SENATOR BARRASSO.** Aye.  
5           **THE CLERK.** Mr. Cardin?  
6           **SENATOR CARDIN.** Aye.  
7           **THE CLERK.** Mrs. Boxer:  
8           **SENATOR BOXER.** Aye.  
9           **THE CLERK.** Mr. Menendez?  
10          **SENATOR MENENDEZ.** Aye.  
11          **THE CLERK.** Mrs. Shaheen?  
12          **SENATOR SHAHEEN.** Aye.  
13          **THE CLERK.** Mr. Coons?  
14          **SENATOR COONS.** Aye.  
15          **THE CLERK.** Mr. Udall?  
16          **SENATOR UDALL.** Aye.  
17          **THE CLERK.** Mr. Murphy?  
18          **SENATOR MURPHY.** Aye.  
19          **THE CLERK.** Mr. Kaine?  
20          **SENATOR KAINE.** Aye.

1           **THE CLERK.** Mr. Markey?

2           **SENATOR MARKEY.** Aye.

3           **THE CLERK.** Mr. Chairman?

4           **THE CHAIRMAN.** Aye.

5           The clerk will report.

6           **THE CLERK.** Mr. Chairman, the yeas are 19, the nays are zero.

7           **THE CHAIRMAN.** Are there — are there any other amendments now to the base  
8 legislation that has been amended by the manager's package?

9           [No response.]

10          **THE CHAIRMAN.** Is there a motion that we move ahead with approving the bill as  
11 amended by the manager's package?

12          **SENATOR RISCH.** So move.

13          **SENATOR JOHNSON.** Seconded.

14          **THE CHAIRMAN.** It has been moved and seconded. If the clerk would — the  
15 question is a motion to approve S. 615, the Iran Nuclear Agreement Act of 2015, as  
16 amended. If the clerk would call the roll.

17          **THE CLERK.** Mr. Risch?

18          **SENATOR RISCH.** Aye.

19          **THE CLERK.** Mr. Rubio?

20          **SENATOR RUBIO.** Aye.

1           **THE CLERK.** Mr. Johnson?  
2           **SENATOR JOHNSON.** Aye.  
3           **THE CLERK.** Mr. Flake?  
4           **SENATOR FLAKE.** Aye.  
5           **THE CLERK.** Mr. Gardner?  
6           **SENATOR GARDNER.** Aye.  
7           **THE CLERK.** Mr. Perdue?  
8           **SENATOR PERDUE.** Aye.  
9           **THE CLERK.** Mr. Isakson?  
10          **SENATOR ISAKSON.** Aye.  
11          **THE CLERK.** Mr. Paul?  
12          **THE CHAIRMAN.** Aye.  
13          **THE CLERK.** Mr. Barrasso?  
14          **SENATOR BARRASSO.** Aye.  
15          **THE CLERK.** Mr. Cardin?  
16          **SENATOR CARDIN.** Aye.  
17          **THE CLERK.** Mrs. Boxer:  
18          **SENATOR BOXER.** Aye.  
19          **THE CLERK.** Mr. Menendez?  
20          **SENATOR MENENDEZ.** Aye.

1           **THE CLERK.** Mrs. Shaheen?

2           **SENATOR SHAHEEN.** Aye.

3           **THE CLERK.** Mr. Coons?

4           **SENATOR COONS.** Aye.

5           **THE CLERK.** Mr. Udall?

6           **SENATOR UDALL.** Aye.

7           **THE CLERK.** Mr. Murphy?

8           **SENATOR MURPHY.** Aye.

9           **THE CLERK.** Mr. Kaine?

10          **SENATOR KAINE.** Aye.

11          **THE CLERK.** Mr. Markey?

12          **SENATOR MARKEY.** Aye.

13          **THE CHAIRMAN.** Thank you.

14          **THE CLERK.** Mr. Chairman?

15          **THE CHAIRMAN.** Aye.

16          [Laughter.]

17          **THE CHAIRMAN.** The clerk will report.

18          **THE CLERK.** Mr. Chairman, the yeas are 19, the nays are zero.

19          **THE CHAIRMAN.** The ayes have it. Obviously that completes our committee's

20          business.

1 I ask unanimous consent that staff be authorized to make technical and  
2 conforming changes. Without objection, so ordered.

3 And with that — without objection, the committee will stand adjourned. Thank  
4 you all. Thank you.

**[Whereupon, at 4:04 p.m., the hearing was adjourned.]**